

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JAMES E. BATES,

Case No. 2:22-cv-00957-CDS-EJY

Plaintiff,

V.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendants.

ORDER

Pending before the Court is Plaintiff's Motion to Extend Time. ECF No. 42. A review of the docket shows Plaintiff recently relocated to High Desert State Prison. The docket further confirms Plaintiff has not filed an amended complaint, which he was given leave to do in the Court's July 6, 2023 Report and Recommendation adopted in full by the Court's January 12, 2024 Order. See ECF Nos. 29, 36. This case cannot move forward, if at all, unless Plaintiff files an amended complaint.

16 Accordingly, IT IS HEREBY ORDERED that the Motion to Extend Time (ECF No. 42) is
17 GRANTED only to the extent Plaintiff is given through and including **June 14, 2024** to file an
18 amended complaint.

19 IT IS FURTHER ORDERED that the Clerk of Court **must** send Plaintiff a copy of this Order
20 together with copies of the Court's Orders at ECF Nos. 29 and 36.

21 Plaintiff should review the documents provided so that when he drafts an amended complaint
22 he does not reassert claims that were dismissed with prejudice. Plaintiff's amended complaint should
23 assert claims that were dismissed without prejudice and with leave to amend fixing the deficiencies
24 in his prior pleading. As explained by the Court, Plaintiff must allege clear facts that state the
25 elements of each claims asserted against identified defendants.

1 IT IS FURTHER ORDERED that Plaintiff's failure to file an amended complaint by or
2 before **June 14, 2024** will result in a recommendation that this matter be dismissed without prejudice
3 in its entirety.

4 Dated this 9th day of May, 2024.

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6 ELAYNA J. YOUCAH
7 UNITED STATES MAGISTRATE JUDGE

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